

REMARKS

The specification has been amended by updating the reference to a co-pending application referenced on page 10, last paragraph.

The patent referenced on page 2, line 5 and the published PCT application referenced on page 10, line 10 are listed on the enclosed Information Disclosure Statement form.

In response to the requirement for corrected drawings, the formal drawings for Figs. 1-3 of this application are enclosed. The Examiner also required that the drawings show the method of claims 10-19 and advised that a flow chart would be sufficient. In response to this requirement new Figs. 4 and 5 are enclosed on the drawing sheet labeled "New Sheet." Fig. 4 is a flow chart which reiterates the method steps of (now) Claims 11-16. Fig. 5 is a flow chart which reiterates the method steps of Claim 19. The "Brief Description of the Drawings" on page 4 has been amended to make reference to the new drawings, and a description of the drawings, which simply goes through the illustrated method steps, has been added to page 12. The Examiner will note that the new drawings and their description do no more than reiterate the claim language and the reference numbered items (speaker 30, button 26, buzzer 32) of the original drawings. It is thus respectfully submitted that the new drawings and their description add no new matter to this application. It is therefore respectfully requested that the Examiner approve the entry of the formal drawings, the new drawings Figs. 4 and 5, and their description.

Applicant's attorney is having his draftsman prepare a formal drawing sheet for the new drawings. The new formal drawing will be submitted as soon as it is completed. Should the Examiner require any changes to the new drawings they will be reflected in a corrected submission in this application.

The Examiner made certain objections to Claims 1, 9 and 18. In response, the spelling of "information" in Claim 1 has been corrected, antecedent basis has been provided for "said button" in Claim 9 by changing the dependency of the claim, and "activating step" has been changed to "selectively activating step" in Claim 19.

Claims 1-9 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The objection was that the terms "information request input," "an output", and a "state input" could be read on electronic signals which are non-statutory. It is unclear whether this is a §101 or a §112 rejection; in any event, it is respectfully submitted that electronic signals are statutory material. In the present application, "output" could be either visual (a display) or audible (prompts for a loudspeaker), which is certainly clear from the claims and the specification. "Input" could be an electronic signal produced by the pressing of a button or transmission of a control signal, or input from a voice and microphone in the case of a voice-responsive implementation. However, to clarify the claims, Claim 1 has been amended to refer to a user-operated information request input (page 7, lines 3-4) and "state input" has been amended to "state parameter" (page 6, line 26). If the Examiner has terminology to suggest, applicant's attorney would be happy to receive it. It is respectfully submitted that amended Claim 1 and its dependent claims are clear and definite.

Claims 11-13 and 18 were also rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The deficiencies of these claims stem from the fact that original Claim 9 was a run-on combination of Claims 9 and 10 as is apparent from the period and capitalized The in the third line of the claim. When this claim is amended into Claims 9 and 10, the remaining claims fall into the correct sequence and dependencies as seen

by the amended claims above. It is respectfully submitted that Claims 11-13 and 18 are now clear and definite.

Claims 1, 2, 7, 8, 10, 11, 16 and 17 (now 1, 2, 7, 8, 11, 12, 17 and 18) were rejected under 35 U.S.C. §102(b) as being anticipated by US application publication 2002/0087195, now US Pat. 6,871,093 (Hansen). Amended Claim 1 describes an automated external defibrillator having a plurality of operational states comprising a user-operated information request input; a state parameter indicative of an operational state of the defibrillator; an output; and a controller which provides context-sensitive rescue information to the output in response to the information request input and the operational state parameter of the defibrillator. Unlike the cited earlier Hansen application, this is more than just a status indicator, it is assistance given to a user when the user request it, based upon the present state of the defibrillator. For example, a defibrillator could simply provide a pause in a rescue when CPR is to be performed on the victim. An implementation of the present invention could go beyond that, and allow a rescuer who is untrained in CPR to request information at that time. Since the defibrillator knows that it is at a pause period, the current operational state of the defibrillator, the defibrillator would respond to a request for help by giving detailed instructions on how to administer CPR, and/or assists to CPR such as a metronome tone at the rate of the necessary chest compressions. As another example, if pediatric electrodes were connected to the defibrillator, the defibrillator could go beyond simply announcing that fact and giving instruction on the deployment of pediatric pads for the rescue of a child. Instead of simply announcing that the electrodes are not deployed, the defibrillator could provide instructions on how to deploy the electrodes, at the press of a button. The cited Hansen patent does not show or suggest the use of such context-sensitive rescue information, provided

at the request of the user. Accordingly it is respectfully submitted that application publication 2002/0087195 cannot anticipate Claims 1, 2, 7, 8, 10, 11, 16 and 17.

Claims 3-5, 12, 13, and 14 (now 3-5, 13, 14, and 15) were rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen, described above, in view of application publication 2002/0143366 (Herleikson et al.) Herleikson et al. was cited for its showing of electrode status. However, Herleikson et al. does not show or suggest the use of context-sensitive rescue instructions. Claims 6, 9, 15, 18 and 19 (now 6, 9, 16, 19 and 20) were also rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen, described above, in view of application publication 2003/0083699 (Hamilton et al.) Hamilton et al. was cited for its teaching of an AED providing CPR instructions and user reassurance comments. Like Herleikson et al., Hamilton et al. do not show or suggest the availability of context-sensitive rescue instructions available upon user request. Claim 18 (now Claim 19) was rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen which, as mentioned previously, does not show or suggest the availability of context-sensitive rescue instructions available upon user request. Accordingly it is respectfully submitted that the combination of Hansen, Herleikson et al., and Hamilton et al. do not render Claims 3-5, 12, 13, 14, and 18 unpatentable, all of which ultimately depend from the two independent Claims 1 and 11 of this application.

In view of the foregoing amendment and remarks it is respectfully submitted that the drawings are now acceptable, that the drawings show all features of the claimed invention, that the claims are now clear and definite, that Claims 1, 2, 7, 8, 11, 12, 17 and 18 are not anticipated by Hansen, and that Claims 3-6, 9, 10, 13-16, 19 and 20 are patentable over any combination of Hansen, Herleikson et al., and Hamilton et

al. Accordingly it is respectfully requested that the submitted drawings of Figs. 1-5 be approved, the rejection of Claims 1-9, 12-14 and 19 under 35 U.S.C. § 112, second paragraph, be withdrawn, and that the rejection of Claims 1, 2, 7, 8, 11, 12, 17 and 18 under 35 U.S.C. § 102(b) and of Claims 3-6, 9, 10, 13-16, 19 and 20 under 35 U.S.C. § 103(a) be withdrawn.

In light of the foregoing amendment and remarks, it is respectfully submitted that this application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

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